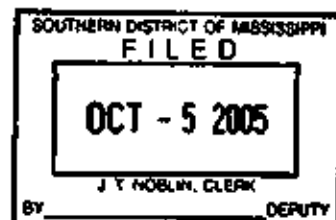


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION



UNITED PLUMBING & HEATING  
CO., INC.; MAURICE THOMAS, JR.;  
CHARLOTTE T. THOMAS; HOMER L. THOMAS;  
DEBBRA B. THOMAS; JOHN J. THOMAS; AND  
KATHRYN R. THOMAS

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:05cv602 HTW-JCS

AMERICAN CONTRACTORS  
INDEMNITY COMPANY

DEFENDANT

ORDER GRANTING TEMPORARY RESTRAINING ORDER

This cause came on to be heard this day on the emergency motion, without notice, of the Plaintiffs for a temporary restraining order, and after considering same, the Court finds as follows:

(1) as shown by the verified complaint, irreparable injury, loss, or damage will result to the Plaintiffs before the adverse party or its attorney can be heard in opposition; and

(2) the applicants' attorney has certified to the Court the efforts to give notice and has given reasons to support the claim that notice should not be required.

IT IS THEREFORE ORDERED, as follows:

1. That the Court grants a temporary restraining order, without notice, immediately, restraining the defendant from the use, enjoyment, and/or withdrawal of funds from its Collateral

Trust account, and mandatorily enjoins and orders American Contractors Indemnity Company to

*HTW maintain*  
~~pay~~ the entirety of said funds *HTW* to ~~Trustmark Bank in the name of, and for the benefit of, the~~  
*HTW*  
Plaintiffs; and

2. That the Court enjoins ACIC from drawing any benefit from the aforesaid General Indemnity Agreement until such time as a Court of competent jurisdiction has resolved all

substantive questions of law and fact determined the rights and liabilities of the parties to said

Agreement. *NRW*

The parties are to appear before this court on  
Friday, October 7, 2005, at 10:30 o'clock a.m.

The plaintiffs are to post a  
\$1,000. security, with said  
amount to be returned on  
October 7, 2005. *NRW*

Henry T. Wingate  
JUDGE

Date: October 5, 2005

Time: 5:25 p.m.